

Appl. No. 09/806.886
Amdt. Dated 03/25/2003
Reply to Office Action of Oct. 4, 2002

4

REMARKS/ARGUMENTS

Claims 3, 4, 8 and 12 have been cancelled herewith in order to speed prosecution and not for reasons of patentability. Claims 1, 2 and 5-7 and 9-11 are now in the case. Claim 1 has been amended to recite parameters originally appearing in Claims 3 and 4. Claim 1 has further been amended to recite that the foam suppressor is in the form of flakes having a specified thickness range. Basis is found at page 14, second paragraph. Claims 6 and 9 have been amended to resolve formal matters raised by the Examiner under §112 (below). Claim 10 has been amended and now specifies the size of the foaming component particles.

It is submitted that there is full support for all amendments and entry is requested.

LISTING OF REFERENCES

Pursuant to the Examiner's comments, enclosed herewith is a Form PTO/SB08A listing the references cited in the Search Report. The Examiner has indicated that the references have been considered in making the Office Action of 10/04/02.

REJECTIONS UNDER 35 USC 112

Claims 1, 6, 8 and 9 stand rejected under §112 for reasons of record. In light of the amendments submitted herewith, all claims meet the statutory requirements. Reconsideration and withdrawal of the rejections on this basis are requested.

REJECTIONS UNDER 35 USC 102

Claims 1-7, 9, 11 and 12 stand rejected under §102 over WO 93/01269, for reasons of record. Claims 1-6 and 9-11 also stand rejected under §102 over WO 97/17939, for reasons of record. Applicants respectfully traverse all rejections under §102, to the extent they may apply to the claims as now amended.

First, it is noted that neither WO/1269 nor WO/17939 discloses a foam suppressing component in the form of flakes, as now recited in the claims. Indeed, both references appear to recite granular particles. Second, since neither document discloses flakes, it is clear that neither reference discloses the irregular dimensions of the flakes recited in the present claims. Third, neither reference discloses the thickness of the flakes now recited in the claims. Finally, neither reference discloses the combination of flake form, dimensions and thickness now recited in the amended claims. Accordingly, it is submitted that Claims 1, 2, 5-7 and 9-11, now in the case, meet the requirements of 35 USC 102, and withdrawal of the rejections is requested.

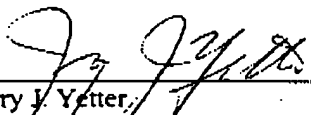
Appl. No. 09 806,886
Amdt. Dated 03/25/2003
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REJECTIONS UNDER 35 USC 103

Claims 8 and 12 have been cancelled herewith solely to speed prosecution. Accordingly, the rejections under §103 have been obviated.

In light of the amendments to the claims and the above remarks, it is requested that the Examiner reconsider and withdraw all rejections. Early and favorable action in the case is respectfully requested.

Respectfully submitted,



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